

10/694,957

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REMARKS

Applicants wish to thank the Examiner for considering the present application. In the Office Action dated September 10, 2004, claims 1-31 are pending in the application. Claims 7-17 stand allowed. Claims 27-30 are allowable if rewritten in independent form. Claims 1-6, 18-26 and 31, stand rejected. Applicants respectfully request the Examiner for reconsideration of these rejections.

The specification stands objected to, for an informality on page 3, line 20. Applicants have corrected the word "beam" to "beams."

Claims 1-6 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention.

Claim 1 has been amended to clarify the invention. "First" is added to the first element since a second beam is described. The word "direction" was also clarified to a beam direction signal and the range is clarified to recite "reduce a range of directions of arrival." The last clause of claim 1 has been amended to clarify that the second beam is formed in response to the beam direction signal and the frequency bandwidth determined in the second clause. Applicants therefore respectfully submit that claim 1 overcomes the §112, second paragraph, rejection.

Claims 1-5 stand rejected as being rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over patent claims 1-5 of U.S. Patent No. 6,667,715. Applicants submit a Terminal Disclaimer to overcome this rejection.

Claims 18, 21 and 31 stand rejected under 35 U.S.C. §102(e) as being anticipated by *Wolcott* (6,002,360). Claims 18 and 23-24 stand rejected under 35 U.S.C. §102(e) as being anticipated by *Yukitomo* (6,147,645). Claims 18 and 24-25 stand rejected under 35 U.S.C. §102(e) as being anticipated by *Yukitomo* (6,240,149). Claims 18, 19, 21, 22, and 26 stand rejected under 35 U.S.C. §102(e) as being anticipated by *Obayashi* (6,249,249). Claims 20 and 31 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Obayashi*.

Claims 18 and 31 have been canceled. Allowable claim 27 has been rewritten in independent form. The dependencies of claims 19 through 26 have been changed to allowable claim 27. Applicants therefore believe that these rejections have now been overcome.

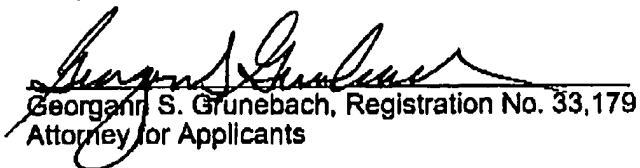
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In light of the amendments and remarks above, Applicants submit that all rejections are now overcome. The application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments which would place the application in better condition for allowance, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,


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